



European Patent Office
80299 MÜNICH
GERMANY
Tel: +49 89 2399 0
Fax: +49 89 2399 4465



Bird, William Edward
Bird Goën & Co.
Klein Dalenstraat 42A
3020 Winkel
BELGIQUE

Formalities Officer
Name: Novoa, Carlos
Tel: +49 89 2399 - 7739
or call
+31 (0)70 340 45 00

Substantive Examiner
Name: King, Ruth
Tel: +49 89 2399 - 7386

Application No. 07 011 368.3 - 2111	Ref. K4322-EP	Date 05.08.2009
Applicant K.U.Leuven Research & Development		

Communication pursuant to Article 94(3) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(2) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 126(2) and 131(2) and (4) EPC. One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (R. 50(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Art. 94(4) EPC).



King, Ruth
Primary Examiner
For the Examining Division

Enclosure(s): 2 page/s reasons (Form 2906)

The examination is being carried out on the following application documents:

Description, Pages

1-31 as originally filed

Claims, Numbers

1-15 received on 02.04.2009 with letter of 30.03.2009

Drawings, Sheets

1/6-6/6 as originally filed

1 Amendments (Art. 123(2) EPC)

The amendments filed with the letter dated 30.03.2009 seem to be allowable under Article 123(2) EPC.

2 Novelty and Inventive Step (Art. 54(1) and (2) and 56 EPC)

Although claims 1-15 seem to meet the requirements of Article 52(1) EPC with respect to the available prior art, amendment is required to overcome the objections below.

3 Clarity (Art. 84 EPC)

- 3.1 The terms "substantially ordered silica" and "ordered oxide" used in claims 1, 2, 5, and 9-11 are vague and unclear and leave the reader in doubt as to the meaning of the technical features to which they refer, thereby rendering the definition of the subject-matter of said claims unclear (Article 84 EPC).
- 3.2 The term "fast release" used in claims 1 and 9 is vague and unclear and leaves the reader in doubt as to the meaning of the technical feature to which it refers, thereby rendering the definition of the subject-matter of said claims unclear (Article

84 EPC). The wording "fast release" should therefore be replaced by the definition of the terminology "immediate release" which can be found in the description on page 25 lines 10-17.

When filing amended claims the applicant should at the same time bring the description into conformity with the amended claims. Care should be taken during revision, especially of the introductory portion and of any statements of problem or advantage, not to add subject-matter which extends beyond the content of the application as originally filed (Article 123(2) EPC).